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August 2, 2012

BY EXPRESS MAIL

Hon. Cathy Seibel,
United States District Judge
Southern District of New York
Briant Federal Building and United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150

Re: In the Matter of the Arbitration between OneBeacon America Ins. Co.
and Swiss Reins. America Corp.,
12-cv-5043 (CS/LMS)

Dear Judge Seibel:

We represent the petitioner, OneBeacon America Insurance Co. ("OneBeacon"), which seeks an order pursuant to 9 U.S.C. § 5 (2012), appointing an umpire to a tri-partite arbitration panel. We write to seek the Court's approval (i) to reset the return date for the petition and, in addition, (ii) to adjourn the dates on which respondent's opposition papers and OneBeacon's reply papers are due. Currently, the petition's return date is August 31, 2012.

Simpson Thacher & Bartlett LLP, counsel for respondent, Swiss Reinsurance America Corp. ("Swiss Re"), and we jointly selected the petition's return date and the intervening dates for service of papers several weeks ago based upon our respective schedules at the time. Given developments affecting each party, the parties would now jointly like to reset the return date to September 14, 2012, with Swiss Re's opposition papers to be due on August 24, 2012 and OneBeacon's reply papers to be due on or before September 11, 2012. No prior requests for an extension have been sought.

Mary Kay Vyskocil, Esq., of Simpson Thacher reviewed this letter in draft and joins in it.

Application Granted / Denied
So Ordered.

Cathy Seibel

Cathy Seibel, U.S.D.J.

Dated: 8/3/12

Re Court will advise at a later date as to whether it will hear argument and/or rule from the bench.



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In closing, we take this opportunity to provide the Court with a courtesy copy of the Notice of Petition, Petition and OneBeacon's supporting papers.

Respectfully,



John F. Finnegan

Enclosures

cc: Mary Kay Vyskocil, Esq.
Jeffrey Roether, Esq.
David M. Raim, Esq.

(By Email w/o enc.)

(By Email w/o enc.)

(By Email w/o enc.)

